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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

1300-0007

First Inventor

John J. QUINN

Title

DUAL-PURPOSE PRIMERS AND
PROBES FOR PROVIDING
ENHANCED HYBRIDIZATION
ASSAYS BY DISRUPTION OF
SECONDARY STRUCTURE
FORMATION

Express Mail Label No.

EV 327 533 240 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification [Total Pages 33 (plus cover)]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table,
or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 10 (4 sets; 3 sets of
color drawings and 1 set of black and white drawings)]
5. Oath or Declaration [Total Pages 3 (unsigned)]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer
Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☒ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper
 - c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS
Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Petition to Accept Color Drawings

18. a. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

- ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
Prior application information: Examiner: _____ Group / Art Unit: _____
b. ☒ This application claims priority to Provisional Application Serial No. 60/412,263, filed September 20, 2002.

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number of Bar Code Label

23980

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Karen Canaan				
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Country	USA	Telephone	(650) 330-0900	Fax	(650) 330-0980
Name (Print/Type)	Karen Canaan	Registration No. (Attorney/Agent)	42,382		
Signature	<i>Karen Canaan</i>			Date	September 15, 2003

17838 U.S. PTO
10/667191

09/15/03

16623 U.S. PTO
09/15/03

FEE TRANSMITTAL for FY 2003

Effective 01/01/03. Patent fees are subject to annual revision.

C mplet if Kn wn

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$130.00

Application Number	Unassigned
Filing Dat	Filed herewith
First Named Inventor	J hn J. QUINN
Examiner Name	Unassign d
Group Art Unit	Unassign d
Attorney Docket No.	1300-0007

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account No. _____
Deposit Account Name _____

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge any underpayment or credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	\$750.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) \$750.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
39	19	18	\$342.00
3	0	0	\$0
Multiple Dependent	0	0	\$0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claim in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$342.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	\$130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

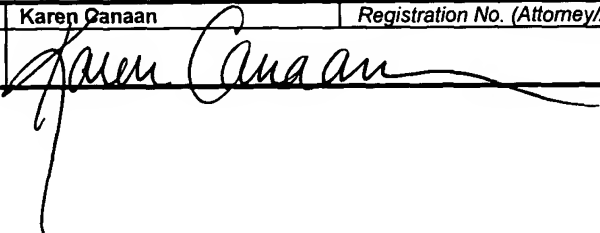
Other fee (specify): _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$130.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Karen Cnaan	Registration No. (Attorney/Agent)	42,382	Telephone	(650) 330-0900
Signature		Date	September 15, 2003		



Atty Dkt No. 1300-0007
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
John J. QUINN et al.

Serial No.: Unassigned

Group Art Unit: Unassigned

Filing Date: Concurrently herewith

Examiner: Unassigned

Title: DUAL-PURPOSE PRIMERS AND PROBES FOR PROVIDING ENHANCED
HYBRIDIZATION ASSAYS BY DISRUPTION OF SECONDARY STRUCTURE
FORMATION

PETITION TO ACCEPT COLOR DRAWINGS
UNDER 37 CFR § 1.84(a)(2)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully petition the Commissioner to accept the enclosed color drawings as Figures 1-10 for the patent application identified above. Applicants submit that color drawings are the only practical way to demonstrate the single nucleotide polymorphism (SNP) site on the exons depicted in Figures 1 and 3 and the hybridization sequence of Figure 7.

Pursuant to 37. C.F.R. § 1.84(a)(2), applicants have attached the following to this paper:

- (i) the \$130.00 fee set forth in 37 C.F.R. § 1.17(h) for this petition;
- (ii) three (3) sets of drawings that bear Figures 1-10; and
- (iii) a black and white photocopy that accurately depicts the subject matter shown in the color drawings.


Further, pursuant to 37 C.F.R. § 1.84(a)(2)(iv), the specification of the subject patent application includes the following language (at paragraph 0014):

The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawings will be provided by the Patent and Trademark Office upon request and payment of the necessary fee.

As this petition is in compliance with the requirements of 37 C.F.R. § 1.84(a)(2), applicants respectfully entry of the attached color drawings as Figures 1-10 for this patent application.

Respectfully submitted,

By:


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Registration No. 42,382

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